

Amendment No. 1 to HB1532

Winningham  
Signature of Sponsor

**AMEND Senate Bill No. 1315\***

**House Bill No. 1532**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-4-902(32), is amended by deleting the words and punctuation "other similar courses." and by substituting instead the language "other similar courses according to the uniform system of weighting of courses adopted by the state board of education under § 49-1-302(a)(18).".

SECTION 2. Tennessee Code Annotated, Section 49-4-907(3)(A), is amended by deleting the word "unweighted" and by substituting instead the word "weighted".

SECTION 3. Tennessee Code Annotated, Section 49-4-920(a)(5), is amended by deleting the word "unweighted" and by substituting instead the word "weighted".

SECTION 4. Tennessee Code Annotated, Section 49-4-907(3)(B), is amended by deleting the language "at least 21" and substituting instead the language "at least 19" and by deleting the language "at least 980" and substituting instead the language "at least 890".

SECTION 5. Tennessee Code Annotated, Section 49-4-908(2), is amended by deleting the language "at least 21" wherever such language appears and substituting instead the language "at least 19" and by deleting the language "at least 980" wherever such language appears and substituting instead the language "at least 890".

SECTION 6. Tennessee Code Annotated, Section 49-4-902, is amended by adding the following language as new, appropriately designated subdivisions:

( ) "Dual enrollment grant" means a grant for study at an eligible postsecondary institution that is funded from net proceeds of the state lottery and awarded to students who are attending high school and who are also enrolled in college courses at eligible postsecondary institutions for which they will receive college credit;

( ) "Entering freshman" means a student entering a postsecondary institution who has not attempted any semester hours at any postsecondary institution after graduating from high school, completing high school in a home school program, or obtaining a GED;

( ) "Nontraditional student" means a student who is at least twenty-five (25) years of age and who enrolls in an eligible postsecondary institution as an entering freshman after July 1, 2005;

( ) "School year" means a twelve (12) month period beginning at the start of a fall semester and ending at the start of the next fall semester;

( ) "Sophomore student" or "sophomore" means a student at a postsecondary institution who has attempted twenty-four (24) semester hours or more, but less than forty-eight (48) semester hours;

SECTION 7. Tennessee Code Annotated, Section 49-4-907, is amended by deleting the words and punctuation "To be eligible for a Tennessee HOPE scholarship," and substituting instead the words and punctuation "To be eligible for a Tennessee HOPE scholarship as an entering freshman,".

SECTION 8. Tennessee Code Annotated, Section 49-4-907, is amended by deleting subdivision (2) in its entirety and substituting instead the following:

(2) Be admitted to and enroll in an eligible postsecondary institution no later than sixteen (16) months after graduation from high school; and

SECTION 9. Tennessee Code Annotated, Section 49-4-908, is amended by deleting the words and punctuation "To be eligible for a Tennessee HOPE scholarship," and substituting instead the words and punctuation "To be eligible for a Tennessee HOPE scholarship as an entering freshman,".

SECTION 10. Tennessee Code Annotated, Section 49-4-908, is amended by deleting subdivision (3) in its entirety and substituting instead the following:

(3) Be admitted to and enroll in an eligible postsecondary institution no later than sixteen (16) months after completing high school in a Tennessee home school program, obtaining a GED, or graduating from high school.

SECTION 11. Tennessee Code Annotated, Section 49-4-916(a), is amended by deleting the word "and" at the end of subdivision (4) and by deleting subdivision (5) in its entirety and substituting instead the following:

(5) Apply for a General Assembly Merit Scholarship; and

(6) Be admitted to and enroll in an eligible postsecondary institution no later than sixteen (16) months after graduating from high school.

SECTION 12. Tennessee Code Annotated, Section 49-4-916(b), is amended by deleting the word "and" at the end of subdivision (3), by deleting the punctuation "." at the end of subdivision (4) and substituting instead the punctuation ";", and by adding the following language as new subdivisions (5) and (6):

(5) Apply for a General Assembly Merit Scholarship; and

(6) Be admitted to and enroll in an eligible postsecondary institution no later than sixteen (16) months after completing high school in a Tennessee home school program or graduating from high school.

SECTION 13. Tennessee Code Annotated, Section 49-4-920(a), is amended by deleting the language "To be eligible for a Tennessee HOPE access grant, a freshman student" and by substituting instead the language "To be eligible for a Tennessee HOPE access grant, an entering freshman student".

SECTION 14. Tennessee Code Annotated, Section 49-4-920(a)(3), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(3) Apply for a Tennessee HOPE access grant and file a FAFSA;

SECTION 15. Tennessee Code Annotated, Section 49-4-920(a), is amended by deleting the word "and" at the end of subdivision (5); by deleting the punctuation "." at the end of subdivision (7) and by substituting instead the punctuation and word "; and" and by adding the following language as new subdivision (8):

(8) Be admitted to and enroll in an eligible postsecondary institution no later than sixteen (16) months after graduation from an eligible high school.

SECTION 16. Tennessee Code Annotated, Section 49-4-905(b)(2), is amended by deleting the last sentence and by substituting instead the sentence:

The provisions of this subsection (b) shall not apply to those students applying for Wilder-Naifeh technical skills grants or to nontraditional students applying for a Tennessee HOPE scholarship as a sophomore.

SECTION 17. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section.

Section 49-4-9\_\_.

(a) To be eligible for a Tennessee HOPE scholarship as a sophomore, a student shall:

(1) Not be ineligible for the scholarship under § 49-4-904;

(2) Meet the requirements of § 49-4-905(a);

(3) Attend an eligible postsecondary institution or a postsecondary institution located outside of Tennessee that is accredited by a regional accrediting association without a Tennessee HOPE scholarship and attempt at least twenty-four (24) semester hours, but not more than forty-eight (48) semester hours;

(4) Maintain satisfactory progress in a course of study in accordance with the standards and practices used for federal Title IV programs at the postsecondary institution attended;

(5) Maintain continuous enrollment at the postsecondary institution attended;

(6) Achieve a cumulative grade point of 2.75 for all semester hours attempted prior to application for a Tennessee HOPE scholarship;

(7) Be admitted to and enroll in an eligible postsecondary institution; and

(8) Make application for a Tennessee HOPE scholarship.

(b) This section shall only apply to:

(1) A student who is eligible for a Tennessee HOPE scholarship as an entering freshman, but who chooses to attend an regionally accredited postsecondary institution located outside of Tennessee without a HOPE scholarship; provided, that such student enrolls in the regionally accredited postsecondary institution located outside of Tennessee no later than sixteen (16) months after graduating from an eligible high school, a high school located in Tennessee, or completing high school in a Tennessee home school program;

(2) A student who meets all qualifications for a Tennessee HOPE scholarship under § 49-4-907 or § 49-4-908 as an entering freshman except that the student did not achieve the high school grade point or the composite ACT score or combined SAT score required for the scholarship, but who enters and attends an eligible postsecondary institution no later than sixteen (16) months after graduating from an eligible high school, a high school located in Tennessee, or completing high school in a Tennessee home school program; and

(3) A nontraditional student.

(c) A student who is eligible for a Tennessee HOPE scholarship under this section and who also meets the qualifications for a General Assembly Merit Scholar supplemental award shall be eligible for such supplemental award. A student whose adjusted gross income does not exceed the amount set in § 49-4-915(a)(2) shall be eligible for a supplemental award for need. Pursuant to § 49-4-917, a student may not receive both the supplemental award for need and the supplemental award as a General Assembly Merit scholar.

(d) To continue to receive a Tennessee HOPE scholarship, such student shall meet the requirements of § 49-4-911. A HOPE scholarship awarded under this section shall be subject to the provisions of § 49-4-913.

(e) No retroactive award of a Tennessee HOPE scholarship shall be made under this section.

SECTION 18. Tennessee Code Annotated, Section 49-4-921, is amended by adding the following language as a new, appropriately designated subsection:

( ) Notwithstanding any provision of this section to the contrary, a student who enrolls in an eligible postsecondary institution and receives a Tennessee HOPE scholarship or a Tennessee HOPE access grant may receive a Wilder-Naifeh technical skills grant provided that the student:

(1) Applies for the Wilder-Naifeh technical skills grant and enrolls in a Tennessee technology center within two (2) years of the beginning of the first semester of enrollment in an eligible postsecondary institution with a Tennessee HOPE scholarship;

(2) Is not ineligible for a Wilder-Naifeh technical skills grant under § 49-4-904; and

(3) Meets all applicable requirements for the grant.

Upon receipt of a Wilder-Naifeh technical skills grant under this subsection, a student shall be ineligible for further receipt of a Tennessee HOPE scholarship.

SECTION 19. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

Section 49-4-9\_\_.

(a) Notwithstanding any provision of this part to the contrary, a student who is eligible for a Tennessee HOPE scholarship upon graduation from high school, completion of high school in a Tennessee home school, or obtaining a GED, but, instead of applying for a Tennessee HOPE Scholarship, applies to and enrolls in a Tennessee technology center and receives a Wilder-Naifeh technical

skills grant, shall continue to be eligible for a Tennessee HOPE scholarship; provided, that the student:

(1) Applies for the Wilder-Naifeh technical skills grant and enrolls in a Tennessee technology center within the same time period that is applicable to the student for application and enrollment in an eligible postsecondary institution and receipt of a Tennessee HOPE scholarship;

(2) Applies for a HOPE scholarship and enrolls in an eligible postsecondary institution within two (2) years of receipt of the Wilder-Naifeh technical skills grant;

(3) Is not ineligible for a HOPE scholarship under § 49-4-904; and

(4) Meets the requirements of § 49-4-905(a).

(b) The provisions of this section shall also apply to students who are eligible for General Assembly Merit Scholarships and Tennessee HOPE access grants. A student whose adjusted gross income does not exceed the amount set in § 49-4-915(a)(2) shall be eligible for a supplemental award for need. Pursuant to § 49-4-917, a student may not receive both the supplemental award for need and the supplemental award as a General Assembly Merit Scholarship.

SECTION 20. Tennessee Code Annotated, Section 49-4-911, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) A student receiving a Tennessee HOPE scholarship who ceases to be academically eligible for the scholarship because the student fails to achieve the cumulative grade point average required at the end of the semester in which the student has attempted a total of twenty-four (24), forty-eight (48), or seventy-two (72) semester hours, or ninety-six (96) semester hours, if the student is enrolled in an undergraduate degree program required to be more than one hundred twenty (120) semester hours, may regain the HOPE scholarship, if the student continues to meet all applicable nonacademic requirements for the scholarship, attends an eligible postsecondary institution without the HOPE

scholarship, achieves a cumulative grade point average of at least 3.0 at the end of any semester in which eligibility would have been reviewed under this section had the student not lost the scholarship, and reapplies for the scholarship. A student who regains the scholarship and then loses the scholarship a second time by failing to achieve a cumulative grade point average of at least 3.0 at the end of a subsequent semester in which academic qualifications are reviewed may not regain the scholarship. No retroactive award of a Tennessee HOPE scholarship shall be made under this subsection for semester hours attempted in order to regain the scholarship.

(d) If a student ceases to be eligible for a Tennessee HOPE scholarship at any time for any reason other than failure to maintain the required cumulative grade point average as provided in subsection (c), then the student shall not be able to regain the Tennessee HOPE scholarship.

SECTION 21. Tennessee Code Annotated, Section 49-4-916, is amended by deleting subsection (e) in its entirety and by substituting instead the following:

(e) If a student receiving a General Assembly Merit Scholarship ceases to be academically eligible for the General Assembly Merit Scholarship by failing to maintain the required cumulative grade point average at the end of any semester in which academic eligibility is reviewed under § 49-4-911, then the student may regain the Tennessee HOPE scholarship award under § 49-4-911(c), but may not regain the General Assembly Merit Scholar supplemental award. If a student receiving a General Assembly Merit Scholarship ceases to be eligible for a General Assembly Merit Scholarship at any time for any reason other than failure to maintain the required cumulative grade point average, then the student shall not be able to regain either the Tennessee HOPE scholarship or the General Assembly Merit Scholar supplemental award.



SECTION 22. Tennessee Code Annotated, Section 49-4-920(e), is amended by designating the existing language as subdivision (1) and by adding the following language as new subdivision (2):

(2) If a student receiving a Tennessee HOPE access grant does not achieve a cumulative grade point average of at least 2.75 at the end of the semester in which the student has attempted twenty-four (24) semester hours, but the student, without financial assistance from lottery proceeds, continues to attend an eligible postsecondary institution and achieves a cumulative grade point average of at least 3.0 at the end of the semester in which the student has attempted forty-eight (48), seventy-two (72), or ninety-six (96) semester hours or one hundred twenty (120) semester hours, if the student is enrolled in an undergraduate degree program required to be more than one hundred twenty (120) semester hours, then the student shall be eligible for a Tennessee HOPE scholarship, if the student meets all other applicable requirements. If such student's adjusted gross income at the time at which such student achieves academic eligibility does not exceed thirty-six thousand dollars (\$36,000), the student shall be eligible for a supplemental award under § 49-4-915.

SECTION 23. Tennessee Code Annotated, Section 49-4-926(b), is amended by deleting subdivision (1) in its entirety and by substituting instead the following new, appropriately designated subdivisions:

( ) "Dependent child" means a natural or adopted child or stepchild whom a military parent claims as a dependent for federal income tax purposes; provided, however, that such child is under twenty-one (21) years of age;

( ) "Military parent" means a parent of a dependent child who is:

(A) A member of the armed forces engaged in active military service of the United States and stationed on active duty outside of Tennessee;

(B) A member of the Tennessee national guard engaged in active military service of the United States and stationed on active duty outside of Tennessee; or

(C) A full-time civilian employee of the department of defense working outside of Tennessee.

SECTION 24. Tennessee Code Annotated, Section 49-4-926(a), is amended by deleting the first sentence of the subsection and by substituting instead the following:

Notwithstanding any provision of this part to the contrary, a student who is a Tennessee citizen and a dependent child of a military parent shall be eligible for a Tennessee HOPE scholarship as an entering freshman, if such student meets all eligibility requirements for such scholarship except that, while the parent is a military parent, the student does not reside in Tennessee for one (1) year immediately preceding the date of application for financial assistance and the student did not graduate from an eligible high school as defined in § 49-4-902, graduate from a Tennessee high school that is not an eligible high school, complete high school in a Tennessee home school program, or obtain a GED from a state-approved institution or organization.

SECTION 25. Tennessee Code Annotated, Section 49-4-926, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) This section shall apply only to:

(1) Dependent children of members of the armed forces or Tennessee national guard whose home of record at the time of entry into military service was determined to be Tennessee; and

(2) Dependent children of full-time civilian employees of the United States department of defense who are legal residents of Tennessee.

SECTION 26. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section.

Section 49-4-9\_\_.

(a) A high school student who is also enrolled in an eligible postsecondary institution shall be eligible for a dual enrollment grant, if the student:

(1) Is not ineligible for the grant under § 49-4-904;

(2) Is a Tennessee resident and has been a Tennessee resident, as defined by regulations promulgated by the board of regents under § 49-8-104, for at least one (1) year immediately preceding the date of application for a grant or for the renewal of a grant;

(3) Is admitted to an eligible postsecondary institution as a dual enrollment student; and

(4) Makes application for the dual enrollment grant.

(c) A student who receives a dual enrollment grant for one (1) semester shall reapply for a dual enrollment grant for the student's next semester of attendance at an eligible postsecondary institution. To be eligible for a dual enrollment grant for a semester beyond the first semester of receipt, the student shall continue to meet all eligibility requirements for the grant and shall achieve a cumulative grade point average of 2.75 for all postsecondary courses attempted under a dual enrollment grant.

(d) Semester hours attempted under a dual enrollment grant shall not count under § 49-4-913 toward the total semester hours attempted at postsecondary institutions for purposes of Tennessee HOPE scholarship eligibility.

(e) It is the intent of the general assembly that funding for Tennessee HOPE scholarships, Tennessee HOPE access grants, and Wilder-Naifeh technical skills grants take priority over funding for dual enrollment grants. Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial

assistance from the net proceeds of the state lottery, the award for a credit hour taken under a dual enrollment grant shall be determined by TSAC and shall not exceed the cost per credit hour of courses taken at community colleges in the state university and community college system.

(f) Grants awarded under this section shall not commence prior to the fall semester of 2005.

SECTION 27. Tennessee Code Annotated, Section 49-4-914(a), is amended by second sentence and substituting instead the following:

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Tennessee HOPE scholarship awarded to a student attending an eligible four-year postsecondary institution shall be fifteen hundred dollars (\$1,500) per semester for full-time attendance during the 2005-2006 school year. For school years subsequent to the 2005-2006 school year, the amount of such scholarship per semester shall be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

SECTION 28. Tennessee Code Annotated, Section 49-4-914(b), is amended by deleting the second sentence of the subsection and substituting instead the following language:

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Tennessee HOPE scholarship awarded to a student attending an eligible two-year postsecondary institution shall be seven hundred fifty dollars (\$750) per semester for full-time attendance during the 2005-2006 school year. For school years subsequent to the 2005-2006 school year, the amount of such scholarship per semester shall

be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

SECTION 29. Tennessee Code Annotated, Section 49-4-915(b), is amended by deleting the third sentence and by substituting instead the following language:

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, the supplemental award for full-time students shall be one thousand dollars (\$1,000) per semester for attendance during the 2005-2006 school year. For school years subsequent to the 2005-2006 school year, the amount of such supplemental award per semester shall be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

SECTION 30. Tennessee Code Annotated, Section 49-4-916(f), is amended by deleting the third sentence:

Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, the General Assembly Merit Scholar supplemental award for full-time students shall be five hundred dollars (\$500) per semester for attendance during the 2005-2006 school year. For school years subsequent to the 2005-2006 school year, the amount of such General Assembly Merit Scholar supplemental award per semester shall be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

SECTION 31. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

SECTION 32. Sections 1, 2, and 3 of this act shall take effect July 1, 2007, the public welfare requiring it. All remaining sections of this act shall take effect upon becoming a law, the public welfare requiring it.